

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

CASEY CUNNINGHAM et al.,

*Plaintiffs,*

v.

CORNELL UNIVERSITY et al.,

*Defendants.*

Civil Action No. 16-cv-6525

Hon. P. Kevin Castel

**CORNELL DEFENDANTS' NOTICE OF MOTION FOR SUMMARY JUDGMENT**

Please take notice that, upon the accompanying Memorandum of Law, dated January 25, 2019, the Statement of Undisputed Material Facts pursuant to Local Rule 56.1, dated January 25, 2019, and all exhibits attached thereto, the undersigned attorneys for Defendants Cornell University, The Retirement Plan Oversight Committee, and Mary J. Opperman will move this Court before the Honorable P. Kevin Castel, at the Daniel Patrick Moynihan United States Courthouse for the Southern District of New York, 500 Pearl Street, Courtroom 11D, New York, New York 10007, at a time and date to be set by the Court, for an Order pursuant to Federal Rule of Civil Procedure 56, granting summary judgment in favor of Defendants and dismissing all of the remaining claims in Plaintiffs' Corrected Amended Complaint, and granting other such further relief as this Court deems proper.

In accordance with the Court's order of November 13, 2018, opposition papers shall be filed on or before February 25, 2019, and any reply papers shall be filed on or before March 25, 2019.

Dated: January 25, 2019

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Respectfully submitted,

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*Attorneys for Cornell Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that, on January 25, 2019, a copy of the foregoing was filed electronically using the Court's CM/ECF system, which will provide notice of the filing to all counsel of record.

By: /s/ Brian D. Netter

Brian D. Netter